



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Albone *et al.*

Confirmation No.: 9476

Application No.: 10/687,035

Group Art Unit: 1642

Filed: October 15, 2003

Examiner: Goddard, Laura B.

For: ANTIBODIES THAT BIND CELL-
ASSOCIATED CA 125/O772P AND
METHODS OF USE THEREOF

Attorney Docket No.: 6750-214-999

**STATEMENT REGARDING THE PERMANENCE AND AVAILABILITY OF
DEPOSITED HYBRIDOMAS UNDER 37 C.F.R. §§ 1.801-1.809**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, attorneys for Euro-Celtique S.A., 122 Boulevard, De La Pertrusee,
L-2330, Luxembourg, the assignee of the above-captioned application, declare and state that:

1. The monoclonal antibody-secreting hybridomas named in Table 1 below were deposited with the the American Type Culture Collection (ATCC), located at 10801 University Boulevard, Manassas, Virginia 20110-2209 on the dates indicated in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure ("Budapest Treaty") with accession numbers as shown.

Table 1

| <u>Hybridoma/mAb</u> | <u>Date of Deposit</u> | <u>Assigned Accession No.</u> |
|----------------------|------------------------|-------------------------------|
| 117.1 | August 2, 2002 | PTA-4567 |
| 368.1 | August 2, 2002 | PTA-4568 |
| 501.1 | August 2, 2002 | PTA-4569 |
| 776.1 | August 2, 2002 | PTA-4570 |
| 15C9 | April 3, 2003 | PTA-5106 |
| 16C7 | April 3, 2003 | PTA-5107 |
| 16H9 | April 3, 2003 | PTA-5108 |
| 4E7 | April 3, 2003 | 5109 |
| 7A11 | April 3, 2003 | PTA-5110 |

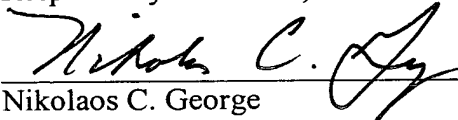
| <u>Hybridoma/mAb</u> | <u>Date of Deposit</u> | <u>Assigned Accession No.</u> |
|----------------------|------------------------|-------------------------------|
| 7C6 | April 3, 2003 | PTA-5111 |
| 7F10 | April 3, 2003 | PTA-5112 |
| 7G10 | June 4, 2003 | 5245 |
| 7H1 | April 3, 2003 | PTA-5114 |
| 8A1 | April 3, 2003 | PTA-5115 |
| 8B5 | April 3, 2003 | PTA-5116 |
| 8C3 | June 4, 2003 | 5246 |
| 8E3 | April 3, 2003 | PTA-5118 |
| 8G9 | April 3, 2003 | PTA-5119 |
| 325.1 | April 3, 2003 | PTA-5120 |
| 621.1 | April 3, 2003 | PTA-5121 |
| 633.1 | April 3, 2003 | PTA-5122 |
| 654.1 | June 4, 2003 | 5247 |
| 725.1 | April 3, 2003 | PTA-5124 |
| 446.1 | September 23, 2003 | PTA-5549 |

2. We hereby assure the United States Patent and Trademark Office and the public that (a) all restrictions on the availability to the public of any one of the monoclonal-secreting hybridomas listed in Table 1 above will be irrevocably removed upon issuance of a United States patent of which such monoclonal-secreting hybridoma is subject; (b) the monoclonal-secreting hybridoma will be maintained for a term of at least thirty (30) years and at least five (5) years after the most recent request for the furnishing of a sample of the deposited monoclonal-secreting hybridoma was received by the ATCC, and in any case, samples will be stored under agreements that would make them available beyond the enforceable life of the patent for which the deposit was made; (c) should the deposit become non-viable, it will be replaced by the assignee; and (d) access to the microorganism will be available to the Commissioner during the pendency of the patent application or to one determined by the Commissioner to be entitled to such microorganism under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

3. We hereby declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that we make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18, and would jeopardize the validity of the application or any patent issuing thereon.

Date: August 10, 2006

Respectfully submitted,


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(Reg. No.)

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